

The Little Traverse Bay Bands of Odawa Indians
Tribal Council
January 19, 2003
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:35 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Beatrice A. Law, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr.

Council Absent: Councilor Janet Shomin

Staff Present: See Attached list

Guests: See attached list

Motion made by Vice-Chairman George Anthony and supported by Councilor Fred Harrington, Jr., to approve the agenda as amended for January 19, 2003.

Vote: 6 Yes, 0 No, 0 Abstained, 1 Absent (Councilor Janet Shomin)

Motion carried

9:45 a.m. Councilor Janet Shomin arrives.

Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice Yellowbank to approve the corrected minutes of January 5, 2003.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank supported by Secretary Beatrice A. Law to accept the Tribal Administrator's report for January 19, 2003.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to approve a vendor to support, the NetCom Communications proposal.

Motion withdrawn.

Motion made by Secretary Beatrice A. Law and supported by Vice-Chairman George Anthony to approve DataCom Solutions proposal by routing cable and electrical required by the project.

Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 0 Absent

Motion carried

Motion made by Vice-Chairman George Anthony and supported by Councilor Fred Harrington, Jr., to approve adjustment of Fisheries Technician to \$25,094.00.

Motion withdrawn.

Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred Harrington, Jr., to approve salary increase for four (4) Regulatory Department personnel

1 as recommended by Wage Grid Consultant Michael Goree, and that the salary
2 adjustments be retroactive to August 8, 2002.

3 Vote: 4 Yes, 3 No (Vice-Chairman, Chairman Gerald V. Chingwa, Councilor Rita
4 Shananaquet), 0 Abstained, 0 Absent

5 Motion carried

6
7 Motion made by Secretary Beatrice A. Law and supported by Councilor Alice
8 Yellowbank to accept the Tribal Chairman's verbal and written report for January 19,
9 2003.

10 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

11 Motion carried

12
13 Motion made by Vice-Chairman George Anthony and supported by Councilor Rita
14 Shananaquet to approve the Victories Casino Feasibility Study for July 2002.

15 Vote: 7 Yes, 2 No, (Councilor Janet Shomin, Councilor Fred Harrington, Jr.), 0
16 Abstained, 0 Absent

17 Motion carried

18
19 Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet
20 support withdrawn, and then supported by Councilor Fred Harrington, Jr., to direct the
21 Chairman to send a letter of support to the Gun Lake Band for their efforts to open a
22 casino.

23 Vote: 2 Yes, 5 No (Councilor Rita Shananaquet, Vice-Chairman George Anthony,
24 Chairman Gerald V. Chingwa, Treasurer Alice Yellowbank, Secretary Beatrice A. Law),
25 0 Abstained, 0 Absent

26 Motion failed

27
28 11:47 a.m. public comment opened.

29 11:48 a.m. public comment closed.

30
31 11:56 a.m. lunch recess until 1:30 p.m.

32 1:42 p.m. meeting reconvened.

33
34 Motion made by Councilor Rita Shananaquet and supported by Treasurer Alice
35 Yellowbank to approve Resolution #011903-01 authorization for First Amendment
36 Agreement.

37 Roll call: Chairman Gerald V. Chingwa-Yes, Vice-Chairman George Anthony-Yes,
38 Councilor Rita Shananaquet-Yes, Treasurer Alice Yellowbank-Yes, Councilor Janet
39 Shomin-Yes, Secretary Beatrice A. Law-Yes, Councilor Fred Harrington, Jr.-Yes

40 Motion carried

41
42 Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice
43 Yellowbank to reappoint Patti Dyer-Deckrow to the Education Commission.

44 Vote: 2 Yes, 5 No (Councilor Janet Shomin, Councilor Rita Shananaquet, Vice-
45 Chairman George Anthony, Chairman Gerald V. Chingwa, Secretary Beatrice A. Law), 0
46 Abstained, 0 Absent

47 Motion failed

48
49 Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George
50 Anthony to appoint Mel Kiogima to the Education Commission.

51 Vote: 5 Yes, 2 No (Councilor Fred Harrington, Jr., Treasurer Alice Yellowbank) 0
52 Abstained, 0 Absent

1 Motion carried

2
3 Motion made by Vice-Chairman George Anthony and supported by Treasurer Alice
4 Yellowbank for Secretary Beatrice A. Law to attend training, in Las Vegas Nevada for
5 Economic Development Commission and to allow stipend, mileage, training and per
6 diem for February 2003.

7 Vote: 6 Yes, 0 No, 1 Abstained (Councilor Beatrice A. Law), 0 Absent

8 Motion carried

9
10 Motion made by Secretary Beatrice A. Law and supported by Councilor Janet Shomin
11 for Rita Shananaquet to attend the new Tribe's Health Directors meeting to be held at
12 the Grand Rapids Field Office on January 28-30th, 2003 and to include stipend, mileage
13 and per diem.

14 Vote: 6 Yes, 0 No, 1 Abstained (Councilor Rita Shananaquet), 0 Absent

15 Motion carried

16
17 Motion made by Councilor Janet Shomin and supported by Vice Chairman George
18 Anthony to allow any Tribal Council person who wishes to attend National Congress of
19 American Indians Executive Council Winter Session February of 2003 and to include any
20 allowable costs.

21 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

22 Motion carried

23
24 Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George
25 Anthony to allow any Tribal Council person who wishes to attend Midwest Alliance of
26 Sovereign Tribes Impact Week of March 2003 and to include any allowable costs.

27 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

28 Motion carried

29
30 Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairman
31 George Anthony to approve burial fund request A0048 \$5,000.00

32 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

33 Motion carried

34
35 Motion made by Councilor Janet Shomin and supported by Councilor Fred Harrington,
36 Jr., to approve the Indian Housing Plan 2003 and authorize the Chairman to sign.

37 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

38 Motion carried

39
40 Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet
41 to accept the Storm Water Management report as presented by D.E.M. Architect and
42 consider the recommendations and give auth to move on with the process of design
43 phase.

44 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

45 Motion carried

46
47 Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice
48 Yellowbank to approve the cost increase request for the Environmental Department lab
49 in the amt of \$36,585.00 to come form capital improvements line item, and to supercede,
50 any previous motion.

51 Vote: 5 Yes, 1 No (Councilor Rita Shananaquet), 0 Abstained, 1 Absent (Councilor
52 Janet Shomin)

1 Motion made Councilor Fred Harrington, Jr., and supported by Treasurer Alice
2 Yellowbank to approve the Boyne Area Anishnaabe Education program Small Grant
3 application for \$2,800.00.

4 Vote: 5 Yes, 0 No, 0 Abstained, 2 Absent (Councilor Janet Shomin, Councilor Rita
5 Shananaquet).

6 Motion carried

7
8 Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice
9 Yellowbank that we pay our annual membership dues to National Congress of American
10 Indians in the amount of \$5,000.00 to come from the Tribal Council 9910 budget.

11 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

12 Motion carried

13
14 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice A.
15 Law to approve enrollment list A- eligible for membership dated January 8, 2003.

16 Vote: 7 Yes, 1 No, 1 Abstained, 0 Absent

17 Motion carried

18
19 Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice
20 Yellowbank to approve Enrollment List B-declination (In-eligible for Membership dated
21 January 8, 2003.

22 Vote: 7 Yes, 2 No (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0
23 Abstained, 0 Absent

24 Motion carried

25
26 Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice
27 Yellowbank to approve enrollment list C In-eligible due to lack of documentation dated
28 January 8, 2003.

29 Vote: 4Yes, 3 No (Councilor Janet Shomin, Councilor Rita Shananaquet Chairman
30 Gerald V. Chingwa), 0 Abstained, 0 Absent

31 Motion carried

32
33 Motion made by Councilor Janet Shomin and supported by Secretary Beatrice A. Law to
34 adopt Resolution #011903-02 Authorization for Great Lakes Fisheries Trust Agreement.

35 Roll call Vote: Vice-Chairman George Anthony-No, Chairman Gerald V. Chingwa-Yes,
36 Councilor Fred Harrington, Jr.-No, Secretary Beatrice A. Law-Yes, Councilor Rita
37 Shananaquet-No, Councilor Janet Shomin-Yes, Treasurer Alice Yellowbank-No

38 Motion failed

39
40 3:52 p.m. recess called

41 4:00 p.m. meeting reconvened

42
43 Motion made by Secretary Beatrice A. Law to create a Tribal real estate contingency
44 fund to be continuously maintained at \$200,000.00 for the purpose of securing options to
45 purchase select real estate. These options to purchase must be signed by the Tribal
46 Chairman, Tribal Treasurer and the Director of the department or program requesting
47 the land purchase with the final approval for purchase resting with Tribal Council.

48 Motion withdrawn due to lack of support

49
50 Motion made by Councilor Fred Harrington, Jr., and supported Treasurer Alice
51 Yellowbank to adopt Resolution #011903-03 Authorization for Execution of Revised
52 Deputization Agreement.

1 Roll call Vote: Vice-Chairman George Anthony-yes, Chairman Gerald V. Chingwa-Yes,
2 Councilor Fred Harrington, Jr.-Yes, Secretary Beatrice A. Law-Yes, Councilor Rita
3 Shananaquet-No, Councilor Janet Shomin-Yes, Treasurer Alice Yellowbank-Yes
4 Motion carried

5
6 4:28 p.m. public comment opened, Fred Harrington, Jr.
7 4:29 p.m. public comment closed.
8

9 Motion made by Councilor Fred Harrington, Jr., and supported by Secretary Beatrice A.
10 Law to adopt resolution #011903-04 Authorization for 2003 PL 93-638 Contract.

11 Roll call vote: Vice-Chairman George Anthony-Yes, Chairman Gerald V. Chingwa-Yes,
12 Councilor Fred Harrington, Jr.-Yes, Secretary Beatrice A. Law-Yes, Councilor Rita
13 Shananaquet-No, Councilor Janet Shomin-No, Treasurer Alice Yellowbank-Yes

14 Motion carried
15

16 Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George
17 Anthony to place on the Legislative agenda Waganakising Odawak Statute 2003-05
18 Enrollment Statute Amendment for emergency consideration

19 Roll call vote: Vice-Chairman George Anthony-y, Chairman Gerald V. Chingwa-Yes,
20 Councilor Fred Harrington, Jr.-Yes, Secretary Beatrice A. Law-Yes, Councilor Rita
21 Shananaquet-Yes, Treasurer Alice Yellowbank-Yes

22 Motion carried
23

24 Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George
25 Anthony to correct the previous motion to correct the number from 05 to 02.

26 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

27 Motion carried
28

29 Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George
30 Anthony to approve Waganakising Odawak Statute 2003-02 Enrollment Statute
31 Amendment.

32 Roll Call Vote: Vice-Chairman George Anthony-Yes, Chairman Gerald V. Chingwa-Yes,
33 Councilor Fred Harrington, Jr.-Yes, Secretary Beatrice A. Law-Yes, Councilor Rita
34 Shananaquet-, Councilor Janet Shomin-Yes, Treasurer Alice Yellowbank-Yes

35 Motion carried
36

37 Motion made Councilor Janet Shomin and supported by Vice-Chairman George Anthony
38 to approve the renewal of General Counsel contract James A. Bransky Attorney at law to
39 come from the Enterprise Fund, government operations and auth the Chairman to sign.

40 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

41 Motion carried
42

43 Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George
44 Anthony to postpone the physician's contract until July 31st 2003.

45 Vote: 3 Yes, 4 No (Councilor Fred Harrington, Jr., Chairman Gerald V. Chingwa,
46 Treasurer Alice Yellowbank, Secretary Beatrice A. Law), 0 Abstained, 0 Absent

47 Motion carried
48

49 Motion made by Treasurer Alice Yellowbank and supported by Councilor Fred
50 Harrington, Jr., that we approve the physician's contract effective February 1st 2003 and
51 to approve the addendum to the physician's contract and authorize the Chairman to
52 sign.

1 Vote: 4 Yes, 3 No (Vice-Chairman George Anthony, Councilor Rita Shananaquet
2 Councilor Janet Shomin), 0 Abstained, 0 Absent

3 Motion carried

4
5 Motion made by Councilor Janet Shomin and supported by Secretary Beatrice A. Law to
6 allow \$60,000.00 for the Economic Development Department budget as a start up and to
7 take into consideration on February 13th, work session this issue of Economic
8 Development Department budget in its entirety from the Enterprise Budget, economic
9 development.

10 Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

11 Motion carried

12
13 Motion made by Councilor Janet Shomin and supported by Councilor Rita Shananaquet
14 to postpone any consideration for this paper that was just received and to add it to the
15 agenda for February 2nd, 2003.

16 Vote: 5 Yes, 2 No (Councilor Rita Shananaquet, Councilor Janet Shomin), 0 Abstained,
17 0 Absent

18 Motion carried

19
20 Motion made by Secretary Beatrice A. Law and supported by Treasurer Alice
21 Yellowbank that we approve Tribal Policy of the Little Traverse for Odawa Indians
22 Administration, the Surveillance Department and the Little Traverse Bay Bands of
23 Odawa Indians Police Department.

24 Vote: 4 Yes, 3 No (Vice-Chairman George Anthony, Councilor Rita Shananaquet,
25 Councilor Janet Shomin), 0 Abstained, 0 Absent

26 Motion carried

27
28 5:29 p.m. Motion made by Vice-Chairman George Anthony and supported by Secretary
29 Beatrice A. Law to go into executive session.

30 Vote: 5 Yes, 2 No (Councilor Fred Harrington, Jr., and Councilor Janet Shomin), 0
31 Abstained, 0 Absent

32 Motion carried

33
34 5:30 p.m. Councilor Rita Shananaquet left.

35 5:35 p.m. Councilor Janet Shomin left.

36
37 5:44 p.m. Motion made by Secretary Beatrice A. Law and supported by Councilor Fred
38 Harrington, Jr., to return to open session.

39 Motion carried

40
41 Motion made by Secretary Beatrice A. Law and supported by Councilor Fred Harrington,
42 Jr., to increase the Tribal Administrator's salary as discussed and to increase Tribal
43 Council Executive Assistant's salary as discussed.

44 Vote: 5 Yes, 0 No, 0 Abstained, 2 Absent (Councilor Janet Shomin, Councilor Rita
45 Shananaquet).

46 Motion carried

47
48 5:54 p.m. Motion made by Councilor Fred Harrington, Jr., and supported by Secretary
49 Beatrice A. Law to adjourn.

50 Vote: 5 Yes, 0 No, 0 Abstained, 2 Absent (Councilor Rita Shananaquet, Councilor Janet
51 Shomin).

52 Motion carried

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These Minutes have been read and approved as written:
Approved:

Beatrice A. Law, Tribal Secretary

Date